

1 JONATHAN A. PATCHEN (SBN 237346)  
TAYLOR & PATCHEN, LLP  
2 One Ferry Building, Suite 355  
San Francisco, California 94111  
3 Telephone: (415) 788-8200  
Facsimile: (415) 788-8208  
4 E-mail: jpatchen@taylorpatchen.com

5 Attorneys for Non-Party LIOR RON

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7 **UNITED STATES DISTRICT COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN FRANCISCO DIVISION**  
10

11 WAYMO, LLC,

12 Plaintiff,

13 vs.

14 UBER TECHNOLOGIES, INC;  
15 OTTOMOTTO LLC; and OTTO TRUCKING  
LLC,

16 Defendants.

Case No.: 3:17-CV-00939 (WHA)

**DECLARATION OF JONATHAN  
PATCHEN IN SUPPORT OF NON-  
PARTY LIOR RON'S MOTION TO  
INTERVENE, MOTION FOR RELIEF  
FROM NONDISPOSITIVE PRETRIAL  
ORDER OF MAGISTRATE JUDGE OR,  
IN THE ALTERNATIVE, MOTION FOR  
A PROTECTIVE ORDER**

Honorable William Alsup

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19 I, JONATHAN PATCHEN, declare as follows:  
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21 1. I am a partner in the law offices of Taylor & Patchen, LLP, a member in good  
22 standing of the bar of the State of California, and am admitted to practice before the United States  
23 District Court for the Northern District of California. I have personal knowledge of the matters set  
24 forth in this declaration, except as to those matters that are stated on information and belief and, as  
25 to those matters, I believe them to be true. If called upon to testify as a witness in this case, I  
26 could and would testify competently under oath to all of the matters set forth in this declaration.  
27 This declaration is submitted in support of Non-Party Lior Ron's Motion to Intervene, Motion for  
28 Relief from Nondispositive Pretrial Order or, in the Alternative, Motion for a Protective Order

1 filed concurrently herewith.

2           2.       Taylor & Patchen, LLP represents Lior Ron in a JAMS arbitration action that was  
3 filed against him by Google, Inc. on October 28, 2016, titled *Google, Inc. v. Anthony Levandowski*  
4 *and Lior Ron*, JAMS Arbitration Reference No. 1100086069. That proceeding involves issues  
5 relating to the alleged solicitation of Google employees by Ottomotto LLC (“Otto”).

6           3.       Lior Ron is not a party in the above-captioned action, and Taylor & Patchen, LLP  
7 has no role as counsel of record for any party appearing in that case (the “Waymo Litigation”). As  
8 a result, neither I nor any other member of my firm received notice that on May 10, 2017, a  
9 subpoena duces tecum had been issued in the Waymo Litigation and served on third party Stroz  
10 Friedberg (“Stroz”) requiring that Stroz produce any and all documents in its possession that had  
11 been provided to it by Mr. Ron.

12           4.       On June 21, 2017, I learned from Mr. Ron’s personal attorneys, Alisa Baker and  
13 Rick Levine of the law firm Levine & Baker LLP that neither of them had been notified that a  
14 document subpoena in this action had been served upon Stroz requiring the production of  
15 documents that had been made available to Stroz by Mr. Ron during the course of its due diligence  
16 work prior to the acquisition of Otto by Uber in or about August 2016.

17           5.       I first became aware of the Stroz subpoena and its implications for Mr. Ron on June  
18 21, 2017 after Magistrate Judge Corley issued her order granting Waymo LLC’s motion to compel  
19 Stroz to produce documents in response to an expedited subpoena. On that day, one of my  
20 colleagues looked at the Waymo Litigation docket to determine whether there had been any recent  
21 orders that might implicate the arbitration proceedings, and saw Magistrate Judge Corley’s order  
22 of that same date.

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6. It is my understanding that more than six hundred thousand files were imaged from Mr. Ron's devices, e-mail, and Cloud accounts. It is also my understanding that only a subset of these files were actually considered during the due diligence process.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct. Executed this 23rd day of June, 2017, at Portland, Oregon.

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JONATHAN A. PATCHEN